

**CERTIFICATION OF ADMINISTRATIVE RULES
FILED WITH THE LEGISLATIVE SERVICES AGENCY
OTHNI LATHRAM, DIRECTOR**

(Pursuant to Code of Alabama 1975, §41-22-6, as amended).

I certify that the attached is/are correct copy/copies of rule/s as promulgated and adopted on Thursday, July 18, 2024, and filed with the agency secretary on Thursday, July 18, 2024.

AGENCY NAME: Alabama Board of Nursing

INTENDED ACTION: New

RULE NO.: Chapter 610-X-17

(If amended rule, give specific paragraph, subparagraphs, etc., being amended) **N/A**

RULE TITLE: Certified Nursing Support Technician

ACTION TAKEN: State whether the rule was adopted with or without changes from the proposal due to written or oral comments:

Adopted without changes. N/A

NOTICE OF INTENDED ACTION PUBLISHED IN VOLUME XLII, ISSUE NO. 8, AAM,
DATED FRIDAY, MAY 31, 2024.

STATUTORY RULEMAKING AUTHORITY: Alabama Act No. 2024-249

(Date Filed)
(For LRS Use Only)

REC'D & FILED
JUL 18, 2024
LEGISLATIVE SVC AGENCY

Peggy Benson

Peggy Benson, AL

Certifying Officer or his or her
Deputy

(NOTE: In accordance with §41-22-6(b), as amended, a proposed rule is required to be certified within 90 days after completion of the notice.)

**ALABAMA BOARD OF NURSING
ADMINISTRATIVE CODE**

**CHAPTER 610-X-17
CERTIFIED NURSING SUPPORT TECHNICIAN**

TABLE OF CONTENTS

610-X-17-.01	Effective Date of Chapter
610-X-17-.02	Definitions
610-X-17-.03	Qualifications for Applicants for Permit
610-X-17-.04	Permit By Examination
610-X-17-.05	Application for Permit By Examination
610-X-17-.06	Applicant Request For Accommodation(s)
610-X-17-.07	Application For Permit By Endorsement
610-X-17-.08	Renewal Of Permit
610-X-17-.09	Special Provisions For Actively Deployed Certified Nursing Support Technicians
610-X-17-.10	Reinstatement Of A Lapsed Permit
610-X-17-.11	Notice Requirements
610-X-17-.12	Verification of Alabama Permit
610-X-17-.13	Standards and Scope of Practice
610-X-17-.14	Conduct and Accountability
610-X-17-.15	Documentation Standards
610-X-17-.16	Patient Care Orders
610-X-17-.17	Requirements For Competency Assessment Of Certified Nursing Support Technicians
610-X-17-.18	Discipline

610-X-17-.01 Effective Date of Chapter.

All provisions of this chapter shall become effective October 1, 2024.

Author: Alabama Board of Nursing

Statutory Authority: 34-21-2, Alabama Act No. 2024-249.

History: New Rule: Published July 31, 2024; effective September 14, 2024, operative October 1, 2024.

610-X-17-.02 Definitions.

For purposes of this chapter, the following terms shall have the following meanings:

1. Abandonment: Acceptance of a patient assignment, thus establishing a certified nursing support technician (NST-C) patient relationship, and then ending the NST-C patient relationship without giving reasonable notice to supervisory personnel so that others can make arrangements for continuation of care.
2. Accountability: The state of being answerable or responsible for action.
3. Application(s): Form(s) and process(es) for applicants seeking permits by examination, endorsement, reinstatement, or renewal.
 - a. Incomplete application: Missing requirements.
 - b. Complete application: Meets requirements.
 - c. Void application: Any incomplete application voided due to failure by the applicant to satisfy all requirements within one year of submission.
4. Dual Relationship: Any time an NST-C interacts with a patient outside the NST-C patient relationship.
5. Endorsement: The process of application for and method of permit approval for a NST, certified originally licensed/permit as an NST in a jurisdiction other than Alabama.
6. Lapsed permit: Failure of an NST-C to renew a permit does not require examination for reinstatement unless the permit is in lapsed status for more than two (years).
7. May: Power, privilege, or right retained by the Board.
8. May not: Prohibition.
9. Certified Nursing Support Technician(I) (NST-C): An individual who has successfully completed a Board approved curriculum for performing supportive nursing services, has passed the National Nursing Support Technician Certification Exam, and has been issued a permit by the Alabama Board of Nursing.
10. NST Advanced Skills: Skills allowed for an NST-C with certifications in addition to initial NST educational

preparation and subject to approved standardized procedures on file with the Board.

11. Permit: Board approval to practice as an NST-C. The NST-C receives authorization to practice as an NST-C from the Board through an approved permit.
12. Primary Source Verification: Verification provided directly to the Board by the entity that is the original source of the document of educational credentials, certification, and/or permit or an approved primary source organization recognized by the Board.
13. Professional Boundary: Behavior of the NST-C in maintaining a therapeutic relationship with a patient for the patient's benefit, rather than behavior that shifts the focus to the NST-C.
14. Responsibility: The charge to do something that is expected performance.
15. Shall: Duty, requirement, or condition.
16. Standard Precautions: Recommendations issued by the Centers for Disease Control and Prevention (CDC) to minimize the risk of transmission of pathogens.
17. Supervision: Responsible licensed nurse is available for periodic inspection and evaluation through physical presence, electronic or telephonic communication for direction, consultation, and collaboration.
18. Unencumbered permit: An active permit that has no current stipulations, conditions, or limitations.
19. Verification: The process of verifying original or current permits in Alabama. The verification process shall be defined by the Board.

20. Board-approved Nursing Support Technician (NST) Program: a program approved by the Board to administer educational preparation for NSTs. The Board may develop guidelines for programmatic maintenance of approval and administration of educational preparation for NSTs.

Author: Alabama Board of Nursing

Statutory Authority: 34-21-1, Alabama Act No. 2024-249

History: New Rule: Published July 31, 2024; effective September 14, 2024, operative October 1, 2024.

610-X-17-.03 Qualifications for Applicants for Permit.

1. The applicant for an NST permit shall:

a. Be a high school graduate or the equivalent, as determined by the Board.

b. Be of good character. A criminal background check may be conducted by the Board at its discretion.

c. Have successfully completed one of the following:

1. A Board-approved Nursing Support Technician (NST) education program in Alabama, or an NST, certified program located in another jurisdiction or territory that substantially meets the same educational criteria as Alabama programs, as determined by the Board.

2. An educational program in Alabama provided by the Alabama Community College System for a Certified Nursing Assistant (CNA) or Patient Care Technician or a hospital-based educational program that substantially meets the training and competency validation requirements as determined by the Board.

3. NUR 112: Foundations of Nursing (Alabama Community College System Curriculum) or a substantially equivalent course, as determined by the Board.

4. US Armed Forces training equivalent to educational preparation for US Army Healthcare Specialist, US Navy Corpsman, or USAF Medical Technician, as determined by the Board according to the applicant's academic transcript validating education preparation.
 - d. Complete the Nursing Support Technician certification exam (NST-C) with a passing score or an equivalent CNA/PCT examination.
2. Satisfy the requirements of Code of Alabama § 30-3-194 and Code of Alabama § 31-13-1, et. seq.

Author: Alabama Board of Nursing

Statutory Authority: 34-21-2, Alabama Act No. 2024-249

History: New Rule: Published July 31, 2024; effective September 14, 2024, operative October 1, 2024.

610-X-17-.04 Permit By Examination.

1. The Board shall determine the official examination for NST-C permits.
2. Each individual seeking entry into practice as an NST-C in Alabama shall provide official evidence of meeting a passing standard on the Board-designated official examination or its equivalent as determined by the Board.
3. Examination performance for each applicant shall be measured as provided by the Board-approved testing service. In the event that examination data are lost or destroyed through circumstances beyond the control of the Board, the applicant shall be required to retake the examination in order to meet requirements for a permit. A Pass-Fail designation shall be recorded as the official result. An applicant who fails the certification examination shall not be approved or receive a

permit or be legally authorized to practice as an NST, certified in Alabama.

4. Official results shall be released by the Board to the applicant and the program from which the applicant graduated. Results may be released electronically or by mail at the Board's discretion. The Board shall not otherwise release individual examination results without written authorization from the applicant or licensee.
5. An applicant who fails the certification examination in another jurisdiction or territory shall not be eligible for licensure by examination in Alabama until eligibility has been established by the original jurisdiction or territory.
6. At the Board's discretion, any individual practicing as a NST or equivalent nursing support position under delegation from a nurse prior to June 1, 2024, and whose previously-completed training meets the required components of the educational curriculum for NST-C as set forth in 610-X-17-.02(1)(c)1 may be eligible to apply for a permit and receive authorization to test for certification to practice as an NST-C in the state of Alabama; provided that the employer attests to the education, training, and competency validation of prior learning or practical experience.

Author: Alabama Board of Nursing

Statutory Authority: 34-21-2, Alabama Act No. 2024-249

History: New Rule: Published July 31, 2024; effective September 14, 2024, operative October 1, 2024.

610-X-17-.05 Application for Permit By Examination.

1. The applicant shall submit to the Board a complete electronic application and the required fee(s).
2. A primary source official school transcript or employer attestation shall be submitted to the Board and shall indicate the date of completion of the program and competency validation or the date a degree/certificate was conferred.

3. If applicable, the applicant shall cause a primary source verification of prior completion of a certified nursing assistant or patient care technician examination with the date of completion and certification awarded with a passing score to be submitted to the Board.
4. The Board shall determine the applicant's eligibility to take the certification examination.
5. If the applicant for a permit by examination is issued a permit during the renewal period, the permit shall expire at the end of the next permit period which shall be at the end of odd numbered years.

Author: Alabama Board of Nursing

Statutory Authority: 34-21-2, Alabama Act No. 2024-249

History: New Rule: Published July 31, 2024; effective September 14, 2024, operative October 1, 2024.

610-X-17-.06 Applicant Request For Accommodation(s).

1. An applicant for a permit by examination who is otherwise qualified shall not be deprived of the opportunity to take the examination solely by reason of disability.
2. Written requests for modification of the procedures for administering the examination shall be submitted to the Board at the time of application for certification. The written request shall include:
 - a. An evaluation of the disability by the applicant's licensed physician or licensed psychologist, including the diagnosis from the current edition of the Diagnostic and Statistical Manual of Mental Disorders, if appropriate.

b. A statement from the director of the nursing education program addressing any accommodations made during the nursing education program.

c. The specific accommodation being requested.

Author: Alabama Board of Nursing

Statutory Authority: 34-21-2, Alabama Act No. 2024-249

History: New Rule: Published July 31, 2024; effective September 14, 2024, operative October 1, 2024.

610-X-17-.07 Application For Permit By Endorsement.

1. The applicant for permit by endorsement shall:

a. Have been duly approved as an NST-C under the laws of another state or territory and shall meet the requirements for the certification examination.

1. The Board may deny consideration of an applicant who has a revoked certification, approval, or permit in another jurisdiction.

2. The Board may deny consideration of an applicant who has a suspended license, approval, or permit in another jurisdiction.

b. Provide for official verification of approval from the original state of approval or from a Board recognized primary source.

c. Submit primary source evidence from the primary source of completion of a NST, education program that includes theoretical and competency validation appropriate to the type of program.

- d. Submit primary source evidence of NST certification from the primary source or its equivalent as specified in these rules.
 - e. Submit a complete electronic application and required fees.
2. If the applicant for permit by endorsement is issued a permit during the renewal period, the permit shall expire at the end of the next permit period which shall be at the end of a odd numbered year.

Author: Alabama Board of Nursing

Statutory Authority: 34-21-2, Alabama Act No. 2024-249

History: New Rule: Published July 31, 2024; effective September 14, 2024, operative October 1, 2024.

610-X-17-.08 Renewal Of Permit.

1. The Alabama NST-C permit shall be valid for two years beginning January 1 of each even-numbered year and expiring December 31 of each odd-numbered year.
2. Renewal of Permit
 - a. The renewal period shall be from 8:00 a.m. on September 1 to 4:30 p.m. on December 31 of the year the permit expires.
 - b. Renewal notices may be transmitted electronically.
 - c. To be eligible for renewal, the applicant shall:
 1. Hold a valid, active Alabama permit.
 2. Submit a completed electronic renewal application and required fee(s).
 3. Meet continuing education and/or competency validation requirements as determined by the Board.
3. An active permit is required to practice as an NST-C. The licensee shall have evidence of the active permit available for employer inspection by January 1 of the new permit period.

4. Failure to complete the renewal application shall not relieve the NST-C of the responsibility of renewing the permit by the expiration date.
5. Any NST-C not renewed as of December 31 of the renewal period shall lapse. Any individual who practices with a lapsed permit shall be subject to penalties established under Chapter 610-X-8 of these rules.

Author: Alabama Board of Nursing

Statutory Authority: 34-21-2, Alabama Act No. 2024-249

History: New Rule: Published July 31, 2024; effective September 14, 2024, operative October 1, 2024.

**610-X-17-.09 Special Provisions For Actively Deployed
Certified Nursing Support Technicians.**

1. When an approved NST-C who is actively serving in the military is deployed during the biennial renewal period, the permit shall not lapse, provided that the following conditions are met:
 - a. The permit was active at the time of deployment.
 - b. The NST-C provides the Board with a copy of the military activation or deployment orders, or other proof of active military service, in advance of deployment.
 - c. The licensee renews the permit no later than December 31 of the next year following return from deployment.
2. In the event that a licensed NST-C fails to notify the Board prior to deployment, the permit shall lapse, if not renewed. However, the permit may be reinstated or renewed after payment of the reinstatement and renewal fee(s) under the following conditions:
 - a. The permit was active at the time of deployment.
 - b. The application for reinstatement or renewal is made while still in the armed services or no later than six months after discharge from active service or return to inactive military status.

- c. A copy of the military activation orders or other proof of active military service accompanies the application.

The renewal and reinstatement fees are paid.

Author: Alabama Board of Nursing

Statutory Authority: 34-21-2, Alabama Act No. 2024-249

History: New Rule: Published July 31, 2024; effective September 14, 2024, operative October 1, 2024.

610-X-17-.10 Reinstatement Of A Lapsed Permit.

A lapsed permit may be reinstated upon submission of a completed electronic application and compliance with the following:

1. Payment of current renewal and reinstatement fees, outstanding fees, and fines.
2. Successful completion of a background check as determined by the Board.
3. If the reinstatement of a lapsed permit occurs during the renewal period, the expiration of the permit shall be at the end of the next permit period which shall be an off numbered year.

Author: Alabama Board of Nursing

Statutory Authority: 34-21-2, Alabama Act No. 2024-249

History: New Rule: Published July 31, 2024; effective September 14, 2024, operative October 1, 2024.

610-X-17-.11 Notice Requirements.

1. The applicant or NST-C shall notify the Board in writing of any requested name change. Appropriate legal documents shall be submitted prior to changing the name of the licensee on the permit. The legal documents required for a name change are one of the following:
 1. Marriage certificate.
 2. Divorce decree substantiating the name change.
 3. Probate court records affecting a legal name change.

2. The applicant shall notify the Board in writing of any change in the reported address or email address. The address of record is the last known address provided by the applicant or NS-C.
- 3.

Author: Alabama Board of Nursing

Statutory Authority: 34-21-2, Alabama Act No. 2024-249

History: New Rule: Published July 31, 2024; effective September 14, 2024, operative October 1, 2024.

610-X-17-.12 Verification of Alabama Permit.

1. The Board obtains primary source verification directly from the approved educational programs or an organization recognized by the United States Department of Education prior to issuing a permit.
2. Upon receipt of an electronic written request and payment of the required fee, the Board's designee shall provide written verification of an Alabama permit.
3. The Board provides primary source verification to employers of NST-C through an online subscription service and through license/permit look-up services.
4. Healthcare organizations that employ NST-Cs shall verify permits through the Board website or subscription service.

Author: Alabama Board of Nursing

Statutory Authority: 34-21-2, Alabama Act No. 2024-249

History: New Rule: Published July 31, 2024; effective September 14, 2024, operative October 1, 2024.

610-X-17-.13 Standards and Scope of Practice.

1. The Board may adopt standards of certified nursing support technician practice and continuing competency.
2. An NST-C approved by the Board may perform Board approved supportive nursing service skills and duties without

delegation, as indicated in the NST-C skills list approved by the Board.

3. An NST-C may work in any healthcare setting that is not otherwise prohibited by law. NST-C practice may occur only when all of the following conditions are met:

- a. A licensed nurse supervises the NST-C skills or tasks performed by the NST-C and is available to intervene as needed.
- b. The Board-approved skills/tasks the NST performs are based on the patient's/resident's needs, as documented in the comprehensive and/or focused assessment by the registered nurse or licensed practical nurse.

- c. The NST-C shall not perform any duties that require the exercise of independent nursing judgment. Specific tasks that require independent nursing judgment that shall not be performed by the NST-C include, but are not limited to:

1. Sterile procedures, unless otherwise permitted on the approved NST-C skills list.

2. Receipt of verbal or telephone orders from a licensed prescriber.

3. Medication administration.

4. Advanced NST-C skills may be performed by an NST-C with advanced certifications recognized by the Board and after a standardized procedure has been submitted and approved by the Board.

5. In the event that the NST-C observes a change in the patient's condition or has difficulty performing the supportive nursing skills, the NST-C shall notify the supervising licensed nurse immediately.

Author: Alabama Board of Nursing

Statutory Authority: 34-21-2, Alabama Act No. 2024-249

History: New Rule: Published July 31, 2024; effective September 14, 2024, operative October 1, 2024.

610-X-17-.14 Conduct and Accountability.

The NST-C shall:

1. Have knowledge and understanding of the laws and rules regulating NST-C practice in Alabama.
2. Function within the legal scope of NST-C practice, as defined in this chapter.
3. Obtain instruction and supervision from a licensed nurse, as necessary, when implementing new or unfamiliar skills.
4. Be responsible and accountable for the quality of NST-C supportive care provided to patients, based on and limited to scope of education, demonstrated competence, and NST-C experience.
5. Accept individual responsibility and accountability for judgments, actions, and competency, remaining current with technology and practicing consistent with facility policies and procedures for supportive nursing services care by an NST-C.
6. Accept individual responsibility and accountability for recognition of appropriate supportive services action by

notifying the licensed nurse immediately following a change in the patient's mental or physical status.

7. Practice in compliance with current CDC Standard Precautions and Infection Control, including aseptic technique.
8. Practice without discrimination on the basis of age, race, religion, gender, national origin, sexual orientation, patient diagnosis, or disability.
9. Respect the dignity and rights of patients and their significant others, including, but not limited to:
 - a. Privacy.
 - b. Safety.
 - c. Protection of confidential information unless disclosure is required by law.
 - d. Freedom from exploitation of physical, mental, sexual, or financial boundaries.
 - e. Protection of real and personal property.
 - f. Behavior that is therapeutic and places the patient's interests before the NST-C's interests.
10. Collaborate with other members of the health care team.
11. Accept individual responsibility and accountability to avoid personal disruptive behaviors that negatively impact patient care and the nursing profession.
12. Accept individual responsibility and accountability for timely reporting of illegal, substandard, unethical, unsafe, or incompetent NST-C practice directly to the Board of Nursing.
13. 1. Accept individual responsibility and accountability for accurate, complete, and legible documentation related to:
 1. Patient care records.
 2. Health care employment.

3. Permit and other credentials.
4. Competency validation and education records.
14. Document any provided supportive nursing service patient care skills, interventions, and responses in an accurate, timely, thorough, and clear manner.
15. Execute supportive nursing services according to approved NST-C skills, medical protocols, and standing orders, including those prescribed by a legally authorized prescriber, and according to facility policies.

Author: Alabama Board of Nursing

Statutory Authority: 34-21-2, Alabama Act No. 2024-249

History: New Rule: Published July 31, 2024; effective September 14, 2024, operative October 1, 2024.

610-X-17-.15 Documentation Standards.

1. The standards for documentation of care provided to patients by the NST-C are based on principles of documentation, regardless of the documentation format.
2. Documentation of supportive nursing services shall be:

- a. Legible.
- b. Accurate.
- c. Complete. Complete documentation includes reporting and documenting on appropriate patient record a patient's status, including signs and symptoms observed if indicated, responses, assistance provided, bedside testing results, vital signs, NST-C supportive care provided, communication of pertinent information or changes in patient status to other health team members and the nurse supervisor, and any unusual occurrences involving the patient.

(1) A signature of the writer, whether electronic or written, is required in order for the documentation to be considered complete. The NST-C shall sign records with the designation NST-C on the patient record.

- d. Timely.

1. Charted at the time or after the care is delivered. Charting prior to care being provided, including supportive nursing service skills, violates principles of documentation.

- e. A mistaken entry in the record by an NST-C shall be corrected by a method that does not obliterate, white-out, or destroy the entry.
- f. Corrections to a record by an NST-C shall include the name or initials of the individual making the correction.

Author: Alabama Board of Nursing

Statutory Authority: 34-21-2, Alabama Act No. 2024-249

History: New Rule: Published July 31, 2024; effective September 14, 2024, operative October 1, 2024.

610-X-17-.16 Patient Care Orders.

1. The NST-C shall NOT receive handwritten, verbal, or electronic medical orders from a legally authorized prescriber or relayed by another licensed or registered health care professional, or certified medical assistant.
2. The NST-C shall NOT implement approved medical protocols and standing orders at the direction of a legally authorized prescriber, unless verified by the supervising licensed nurse.
3. The NST-C shall follow the Board-approved skills list and facility policies and procedures regarding supportive nursing care functions and duties allowed at the facility level.

Author: Alabama Board of Nursing

Statutory Authority: 34-21-2, Alabama Act No. 2024-249

History: New Rule: Published July 31, 2024; effective September 14, 2024, operative October 1, 2024.

610-X-17-.17

**Requirements For Competency Assessment Of
Certified Nursing Support Technicians.**

1. Competency assessments for each NST-C employed by a facility must be conducted by a licensed nurse upon initial hire and annually thereafter. The licensed nurse must maintain records of the initial and annual competency validation on file at the facility. Basic Competency assessments must include a demonstration of each of the following competency areas and standards in addition to core competency validation:
 - a. Maintaining confidentiality; does not share confidential information, except when it affects the recipient's care and is shared only with the appropriate person(s).
 - b. Maintaining hygiene and current accepted standards for infection control; utilizes appropriate infection control principles when providing supportive care and assistance.
 - c. Documenting accurately and completely; accurately documents all supportive services patient care duties performed.
 - d. Having knowledge of abuse and neglect reporting requirements. The NST-C identifies occurrences of possible abuse of a vulnerable adult and reports this information to the appropriate supervising licensed nurse and as required by facility policies.

Author: Alabama Board of Nursing

Statutory Authority: 34-21-2, Alabama Act No. 2024-249

History: New Rule: Published July 31, 2024; effective September 14, 2024, operative October 1, 2024.

610-X-17-.18

Discipline.

Any disciplinary process or action involving NST-C permit shall be conducted according to the provisions of Chapter 610-X-8 of these rules.

Author: Alabama Board of Nursing

Statutory Authority: 34-21-2, Alabama Act No. 2024-249

History: New Rule: Published July 31, 2024; effective September 14, 2024, operative October 1, 2024.